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U.S. DISTRICT COURT E.D.N.Y.
★ MAR 03 2021 ★
LONG ISLAND OFFICE

ALB:RAS
F. #2020R00806

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

SUPERSEDING
INDICTMENT

- against -

DAVIS BURGOS-COLLAZO,
also known as "David Collazo,"
"David Burgos," "Davis Collazo-
"Burgos," "Davis Collazo" and
"Davis Burgos,"

Cr. No. 20-492 (S-1) (PKC)
(T. 18, U.S.C., §§ 2251(e), 2252(a)(2),
2252(a)(4)(B), 2252(b)(1), 2252(b)(2),
2253(a), 2253(b), 2260A and 3551 et
seq.; T. 21, U.S.C., § 853(p))

Defendant.

----- X

THE GRAND JURY CHARGES:

COUNTS ONE AND TWO
(Distribution of Child Pornography)

1. On or about the dates set forth below, within the Eastern District of New York and elsewhere, the defendant DAVIS BURGOS-COLLAZO, also known as "David Collazo," "David Burgos," "Davis Collazo-Burgos," "Davis Collazo" and "Davis Burgos," did knowingly and intentionally distribute one or more visual depictions, to wit: the digital videos and images depicted in the following electronic files:

<u>COUNT</u>	<u>FILE</u>	<u>DATE</u>
ONE	<u>Filename:</u> direct_shares_34028236684 1710300949128123999772138308_2922 0643075672373 973266573819904000.mp4	March 12, 2020
TWO	<u>Instagram Video ID:</u> 2859331944187939	April 12, 2020

using a means and facility of interstate and foreign commerce, and which visual depictions had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551 et seq.)

COUNT THREE

(Access with Intent to View Child Pornography)

2. In or about and between August 2020 and September 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DAVIS BURGOS-COLLAZO, also known as “David Collazo,” “David Burgos,” “Davis Collazo-Burgos,” “Davis Collazo” and “Davis Burgos,” did knowingly and intentionally access with intent to view matter which contained one or more visual depictions, to wit: images accessed using an Apple iPhone with serial number F2LVMMX0JCLY, that had been mailed, and had been shipped and transported using one or more means and facilities of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which were produced using materials which had been mailed and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions having been of such conduct, and one or more

such visual depictions involved a prepubescent minor and a minor who had not attained 12 years of age.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

COUNTS FOUR THROUGH TEN
(Attempted Sexual Exploitation of Children)

3. On or about and between the dates set forth below, all dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DAVIS BURGOS-COLLAZO, also known as “David Collazo,” “David Burgos,” “Davis Collazo-Burgos,” “Davis Collazo” and “Davis Burgos,” did knowingly and intentionally attempt to employ, use, persuade, induce, entice and coerce one or more minors whose identities are known to the Grand Jury, to wit:

<u>COUNT</u>	<u>MINOR</u>	<u>APPROXIMATE DATE(S)</u>
FOUR	Jane Doe 1	March 10, 2020 to May 17, 2020
FIVE	Jane Doe 2	March 12, 2020 to April 23, 2020
SIX	Jane Doe 3	March 12, 2020 to May 12, 2020
SEVEN	Jane Doe 4	March 18, 2020
EIGHT	Jane Doe 5	March 18, 2020 to March 30, 2020
NINE	John Doe 1	April 14, 2020 to April 20, 2020
TEN	Jane Doe 6	April 23, 2020 to April 25, 2020

to engage in sexually explicit conduct for the purpose of producing one or more visual depictions of such conduct and for the purpose of transmitting one or more live visual depictions of such conduct, knowing and having reason to know that such visual depictions

would be transported and transmitted using one or more means and facilities of interstate and foreign commerce and which would be in and affecting interstate and foreign commerce, which visual depictions were produced and transmitted using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, and which visual depictions were actually transported and transmitted using one or more means and facilities of interstate and foreign commerce and in and affecting interstate and foreign commerce.

(Title 18, United States Code, Sections 2251(e) and 3551 et seq.)

COUNT ELEVEN

(Offense by a Registered Sex Offender)

4. In or about and between March 2020 and May 2020, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant DAVIS BURGOS-COLLAZO, also known as “David Collazo,” “David Burgos,” “Davis Collazo-Burgos,” “Davis Collazo” and “Davis Burgos,” being required by Federal and other law to register as a sex offender, did commit one or more felony offenses involving one or more minors under Title 18, United States Code, Section 2251, to wit: the felony offenses alleged in Counts Four through Ten of this Superseding Indictment.

(Title 18, United States Code, Sections 2260A and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNTS ONE THROUGH TEN

5. The United States hereby gives notice to the defendant, that, upon his conviction of any of the offenses charged in Counts One through Ten, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253(a), which requires the forfeiture of: (a) any visual depiction described in Section 2251, 2251A, 2252,

2252A, 2252B or 2260 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting, or traceable to, gross profits or other proceeds obtained from such offenses; and (c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including but not limited to (i) one Apple iPhone with serial number F2LVMMX0JCLY, and (ii) one Samsung Laptop with serial number S2RSJ9KC801966, both of which were seized from the defendant on or about September 2, 2020.

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 2253(a) and 2253(b); Title 21, United States Code, Section 853(p))

A TRUE BILL


FOREPERSON



SETH D. DUCHARME
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#: 2020R00806
FORM DBD-34
JUN. 85

No. _____

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

DAVIS BURGOS-COLLAZO,

Defendant.

SUPERSEDING INDICTMENT

(T. 18, U.S.C., §§ 2251(e), 2252(a)(2), 2252(a)(4)(B), 2252(b)(1),
2252(b)(2), 2253(a), 2253(b), 2260A and 3551 et seq.; T. 21, U.S.C.,
§ 853(p))

A true bill.

Elissadya

Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Rachel A. Shanies, Assistant U.S. Attorney (718) 254-6140